

Message Text

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ACTION SS-25

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C O N F I D E N T I A L MANILA 898

EXDIS

GENEVA FOR ASST. SEC. DERIAN

E.O. 11652: GDS
TAGS: SHUM, RP
SUBJECT: HUMAN RIGHTS IN THE PHILIPPINES

1. I USED MY WEEKLY MEETING WITH PRESIDENT MARCOS JANUARY 17
TO POSE THREE QUESTIONS LEFT BEHIND BY ASST. SEC. DERIAN
AND TO ASK REGARDING PLANS FOR REMAINING POLITICAL DETAINEES.

2. CONFRONTATION: FIRST QUESTION RELATED TO ATTITUDE OF
PHILIPPINE COUNCIL FOR PRINT MEDIA TOWARD PROPOSED PUBLICA-
TION BY S.P. LOPEZ. PRESIDENT FIRST SAID S.P. LOPEZ WAS
MERELY "FRONT" FOR ALIEN JESUITS, THEN THOUGHT BETTER OF
ANSWER AND EXPLAINED THAT COUNCIL AND NOT GOVERNMENT WAS
RESPONSIBLE FOR APPROVING PUBLICATIONS AND LOPEZ HAD NOT
APPLIED FOR COUNCIL APPROVAL. WHEN I ASKED WHETHER COUNCIL
COULD REFUSE PERMISSION TO PUBLICATION, PRESIDENT REPLIED,
"NOT ARBITRARILY." HE SAID COUNCIL, BECAUSE OF NEWSPRINT
SHORTAGE AND NORMAL PHILIPPINE TENDENCY TO PROLIFERATE
PUBLICATIONS HAD TO KEEP NUMBER DOWN. FINALLY, HE SAID HE
SHOULD TALK TO FATHER REUTER ABOUT THE QUESTION AND
PLANNED TO SEE HIM SOON.

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3. TRINIDAD HERRERA: I PREFACED QUESTION ABOUT POSSIBLE
AMNESTY FOR MISS HERRERA WITH COMMENT THAT, AS PRESIDENT
KNEW, THIS WAS CASE THAT HAD AWAKENED CONSIDERABLE
SYMPATHY IN U.S. AND POSITIVE ACTION IN FREEING HER WOULD
BE WELL RECEIVED. HE SAID THAT AMNESTY REQUIRED ONLY THAT
SHE TAKE OATH OF LOYALTY TO GOVERNMENT AND SIGN ASSURANCE
THAT SHE WAS NOT MEMBER OF SUBVERSIVE ORGANIZATION. I

SAID THIS WAS "RUB" SINCE SHE DID NOT FEEL ZOTO WAS SUBVERSIVE AND THEREFORE DID NOT WISH TO ADMIT GUILT. MARCOS REPLIED THAT ADMISSION OF GUILT WAS ESSENTIAL TO AMNESTY AND SAID THAT ZOTO HAD SERVED AS FRONT FOR COMMUNIST ACTIVITIES. I ASKED HIM IF SOME WAY COULD NOT BE FOUND TO REMOVE CHARGES AGAINST MRS. HERRERA WITHOUT REQUIRING SUCH ADMISSION. HE TOOK NOTES AND PROMISED TO LOOK FURTHER INTO CASE.

4. CONSTITUTIONAL AMENDMENTS: IN CONTEXT OF QUESTIONS RAISED CONCERNING HIS INTENTION TO REMAIN PRESIDENT FOR LIFE, I ASKED WHETHER CONSTITUTION OF 1973 HAD NOW BEEN REWRITTEN TO INCORPORATE 1976 AMENDMENTS. HE REPLIED THAT REWRITING NOT NECESSARY SINCE AMENDMENT NO. 8 SAID THAT ALL PROVISIONS OF 1973 CONSTITUTION NOT INCONSISTENT WITH AMENDMENTS WERE VALID AND THIS HAD NOT BEEN TESTED IN COURTS. REGARDING PRESIDENCY FOR LIFE, HE SAID PRESIDENCY IN ITS PRESENT FORM WOULD LAST ONLY THROUGH SIX-YEAR LIFE OF NEW INTERIM LEGISLATURE. AT THAT POINT HE WOULD STEP DOWN AND SEEK ELECTION AS PRIME MINISTER AND "CEREMONIAL PRESIDENT WILL BE CHOSEN." HE DID NOT SAY HOW.

5. DETAINEES: I ASKED WHAT HIS PLANS WERE FOR REMAINING 500(APPROX.) PERSONS DETAINED FOR POLITICAL OFFENSES UNDER MARTIAL LAW. I SAID OUTSIDE EXPECTATION WAS THAT THEY WOULD EITHER BE RELEASED OR TRIED. HE REPLIED THAT, ONCE

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INTERIM ASSEMBLY IS ELECTED, HE WOULD NO LONGER HAVE AMNESTY AUTHORITY; IT WOULD PAACYTO ASSEMBLY. I SAID THIS APPEARED TO BE GOOD MOTIVE FOR SPEEDING UP PROCESS OF AMNESTY. HE REPLIED THAT TRIALS WERE BEING HELD AND, PERHAPS, "WE SHOULD GIVE MORE PUBLICITY TO THEM." HE SAID THAT REMAINING DETAINEES LARGELY FELL INTO TWO CATAGORIES: THOSE WHO WERE MEMBERS OF COMMUNIST PARTY AND THOSE WHO "HAVE TRIED TO ASSASSINATE ME." I AM REVIEWING CASES OF LATTER AND, PERHAPS, CAN RELEASE SOME." IT IS MORE DIFFICULT, HE SAID, IF THEY WERE CLEARLY MEMBERS OF SUBVERSIVE ORGANIZATIONS. I AM NOT RELUCTANT TO RELEASE THEM, BUT "I HAVE PROBLEMS WITH THE ARMY."

6. VICTOR REYES: REYES WAS MENTIONED IN CONGRESSIONAL CORRESPONDENCE AS HAVING DISAPPEARED. MARCOS SAID HE WAS ALIVE AND "STUDYING" AND WOULD SEEK TO FIND HIS WHEREABOUTS SO THAT, IF WE WISHED, EMBASSY OFFICER COULD INTERVIEW HIM.

7. COMMENT: MARCOS MADE POINT, DURING OUR CONVERSATION, OF STATING THAT HE HAD, DURING MS. DERIAN'S VISIT LAST WEEK, APPRECIATED HER "TASK" AND "FRANK TALK," ALTHOUGH

SOME OF HIS ASSOCIATES DID NOT. I HAD IMPRESSION, MORE
DURING LATEST MEETING THEN BEFORE, THAT MARCOS, ALTHOUGH
HE PARRIES MANY OF OUR THRUSTS, IS BOTHERED BY OUR
PRESSURES BUT DOESN'T WANT TO TURN US AWAY. WHILE
RESULTS OF EACH SESSION MAY NOT BE DRAMATIC, I BELIEVE
WE HAVE REASON TO HOPE THAT, AT LEAST IN SOME INDIVIDUAL
CASES, OUR EFFORTS WILL BEAR FRUIT. HE WILL SEE ME AGAIN
NEXT WEEK.
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